

REMARKS

Claims 1 and 7 have been amended. Claims 1-17 and 19-34 remain pending. No new matter has been added.

The amendments to claims 1 and 7 change the word “roll” to “rotate” to clarify that the support assembly *rotates* with respect to the handle. These changes are merely for clarification and they should not affect the allowability of the already allowed claims 7-10 or of the remaining claims 1-6, 11-17, and 19-34.

Applicants thank the Examiner for allowing claims 7-10.

Applicants also thank the Examiner for the courtesy of conducting a personal interview with Applicants’ representative on February 4, 2009 to discuss the rejected claims. At the interview, it was determined that the rejections of claims 1-6, 11-17, and 19-34 based on Embree (U.S. Patent No. 6,277,164) could be overcome by amending claim 1 to more clearly define the manner in which the claimed surface treating head turns when the handle is rotated. Applicants have amended claim 1 to make this clarification and therefore the rejected claims are now allowable over Embree.

Claim 1, as amended, recites that “rotating the support assembly and the handle about the longitudinal axis while the appliance is rolled along the surface causes the surface treating head to pivot relative to the support assembly so as to turn in a new direction while remaining substantially in contact with the surface.” An example of such pivoting and turning is illustrated, for instance, in FIGS. 3-5 of the drawings. Embree fails to disclose such features.

The Examiner compares the claimed surface treating head with Embree’s intake aperture 111. However, in light of this amendment, the comparison is improper. Unlike the surface treating head of amended claim 1, Embree’s intake aperture 111 does not pivot relative to a support assembly to turn in a new direction. Rather, intake aperture 111 is fixed with respect to intake body 100 and it turns only when Embree’s entire cleaner is turned. Moreover, the Examiner compares the claimed support assembly with Embree’s cup portions 123 or exit

apertures 232. However, these features are completely fixed with respect to intake aperture 111; thus, there is no pivoting action between intake aperture 111 and cup portions 123 or exit apertures 232.

Additionally, intake aperture 111 does not turn in a new direction while remaining substantially in contact with a surface when Embree's handle is rotated while the cleaner is rolled along a surface. Rather, if Embree's handle is rotated while the cleaner is rolled along a surface, intake aperture 111 will be partly lifted off of the ground due to the rigid connection between conduits 30 and intake body 100.

Because of at least these differences, claim 1 is allowable over Embree. In addition, claims 2-6, 11-17, and 19-34, which depend from claim 1, are also allowable over Embree at least based on their dependence from an allowable base claim.

Early action allowing claims 1-6, 11-17, and 19-34 is therefore respectfully requested.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 424662010100.

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